United Nations A/CONF.192/2012/RC/L.4

General Assembly

Distr.: Limited
28 June 2012

Original: English

United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 27 August-7 September 2012

Draft outcome documents of the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

The present document contains the following draft outcome documents of the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects:

Annex I: 2012 declaration

Annex II: Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects: implementation plan, 2012-2018

Annex III: International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons: implementation plan, 2012-2018

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Annex I

2012 declaration

A shared commitment to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects

1. We, the States participating in the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, gathered here in New York from 27 August to 7 September 2012, reaffirm our support for, and commitment to implement all the provisions of, the Programme of Action and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, with a view to ending the suffering caused by the illicit trade in and uncontrolled proliferation of small arms and light weapons.

Principles and objectives

2. We emphasize that the illicit trade in small arms and light weapons in all its aspects continues to sustain conflict, exacerbate violence, contribute to the displacement of civilians, undermine respect for international humanitarian law, fuel crime, terrorism and piracy, and impede the provision of humanitarian assistance to victims of armed conflict.

3. We reaffirm the validity of the Programme of Action as a global framework for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, and remain convinced that its full implementation is essential for furthering peace, securing lives and improving the livelihoods of people often living in deprivation and fear.

4. We also reaffirm our respect for and commitment to international law and the principles enshrined in the Charter of the United Nations.

5. We remain mindful of the primary responsibility of Governments for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects.

Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects

6. We welcome the considerable progress that has been made in implementing the Programme of Action and the International Tracing Instrument since their adoption, including with respect to the establishment, strengthening and enforcement of laws, regulations and administrative procedures relating to small arms, the development of national action plans, the establishment of national points of contact and the strengthening of regional cooperation, as well as the progress made in implementing a wide range of specific measures, including on stockpile security, the collection and destruction of small arms, the provision of marking equipment and technical training.

7. We stress, however, that challenges and obstacles remain to the full implementation of the Programme of Action and the International Tracing Instrument.

8. We underline the need to follow up on the discussions held and recommendations made at previous meetings on the implementation of the Programme of Action, including the Third Biennial Meeting of States (2008), the Fourth Biennial Meeting of States (2010) and the Open-ended Meeting of Governmental Experts (2011), and on related topics taken up by the General Assembly over the past decade, such as the negative humanitarian and development impact of the illicit manufacture, transfer and circulation of small arms and light weapons (see resolution 60/68) and promoting development through the reduction and prevention of armed violence (see resolution 63/23 and document A/64/228).

9. We support the further development and implementation of norms and measures at the national, regional and global levels to reinforce and coordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

10. We reaffirm the continued need for international cooperation and assistance, including the provision of technical and financial assistance, to support the implementation of the Programme of Action and the International Tracing Instrument.

11. We underscore the pressing need to further integrate gender perspectives into relevant aspects of the implementation of the Programme of Action and the importance of evidence-based research that includes gender and age aggregation.

12. We highlight the benefits of partnerships among all stakeholders, including civil society organizations and industry.

13. We resolve to further strengthen the linkages between combating the illicit trade in small arms and light weapons and such issues as counter-terrorism, fighting organized crime, human trafficking, drug trafficking, piracy, armed violence and the illicit exploitation of natural resources.

14. We renew our pledge to rid the world of the scourge brought upon it by the illicit trade in and proliferation of small arms and light weapons. We renew our commitment to the full implementation of the Programme of Action and the International Tracing Instrument, and we seek to achieve clear and tangible results by the holding of the third review conference in 2018, in accordance with the implementation plans that accompany the present declaration.

Annex II

Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects: implementation plan, 2012-2018

1. At the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, convened at United Nations Headquarters in New York from 27 August to 7 September 2012, Member States resolved to redouble their efforts to achieve the full and effective implementation of the Programme of Action during the period from 2012 to 2018, in particular through the following actions.

A. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects at the national level

2. In implementing the Programme of Action at the national level, Member States undertake:

(a) To support the development and implementation of adequate laws, regulations and administrative procedures to prevent the illicit trade in small arms and light weapons, including illicit brokering and illicit craft production;

(b) To establish or strengthen national coordination agencies or bodies to improve coordination among governmental agencies, in particular customs, border control, police, judicial and arms transfer licensing authorities, in the implementation of the Programme of Action;

(c) To establish or designate a national point of contact to act as liaison among States on matters relating to the implementation of the Programme of Action, and to share and update information on such matters on a regular basis;

(d) To ensure adequate governmental authorization of international transfers of small arms and light weapons;

(e) To enhance the effective control over the export and transit of small arms and light weapons, including by strengthening the end-user certification and verification process;

(f) To take appropriate measures to ensure the effective implementation of United Nations arms embargoes, and to enhance the effectiveness of disarmament, demobilization and reintegration programmes conducted within a peace operation framework;

(g) To combat the proliferation of man-portable air defence systems (MANPADS) and their components;

(h) To improve the management of stockpiles of small arms and light weapons, in particular by implementing adequate standards and procedures for stockpile safety and security, including the responsible disposal of surpluses, preferably through destruction;

(i) To increase the participation and representation of women in small arms policymaking, taking into account the link between the Programme of Action and Security Council resolution 1325 (2000);

(j) To encourage, as appropriate, the development and implementation of national action plans, and to promote the sharing of experience in the design and implementation of such plans.

B. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects at the regional level

3. In implementing the Programme of Action at the regional level, Member States undertake:

(a) To encourage the establishment of points of contact by regional and subregional organizations in order to facilitate cooperation on small arms issues, including the sharing of information and experience among regions;

(b) To enhance synergies between the Programme of Action and relevant regional and subregional instruments and processes, including through harmonized reporting templates;

(c) To explore ways in which regional and subregional organizations can assist States in the preparation of their national reports for the Programme of Action and relevant regional instruments;

(d) To support, as appropriate, regional and subregional organizations in building Member State capacity with regard to small arms issues, including through enhanced cooperation, as well as through the exchange of information and experience with respect to model legislation, best practices and other relevant matters;

(e) To establish or strengthen regional and subregional mechanisms relating to border control, and to enhance cooperation at the regional level among customs, border control, police and judicial authorities in order to address the illicit trade in small arms and light weapons across borders.

C. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects at the global level

4. In implementing the Programme of Action at the global level, Member States undertake:

(a) To consider ways to strengthen cooperation between United Nations sanctions monitoring groups and peace operations in order to increase their effectiveness;

(b) To cooperate with the United Nations system in strengthening the safe storage and responsible disposal of illicit small arms and light weapons by peace operations, including the development of appropriate mandates and mission structures, including by utilizing the United Nations pool of civilian and military experts and training courses;

(c) To increase their cooperation with relevant international organizations, such as the World Customs Organization and the International Criminal Police Organization (INTERPOL), on building capacity to effectively counter the illicit trade in small arms and light weapons at the national, regional and global levels;

(d) To encourage States that have not yet done so to consider ratifying or acceding to related international legal instruments;

(e) To facilitate cooperation with civil society and academia in activities related to the prevention, combating and eradication of the illicit trade in small arms and light weapons in all its aspects.

D. Implementation, international cooperation and assistance

5. Member States stress that international cooperation and assistance remain critical to the full and effective implementation of the Programme of Action, including the continuing commitment of donor and recipient States to ensuring its effectiveness and measurability.

6. To this end, Member States undertake:

(a) To continue to promote and enhance bilateral and regional cooperation, including South-South and triangular cooperation, in sharing experience, good practices, resources, technology and expertise to ensure the full and effective implementation of the Programme of Action;

(b) To encourage the efforts of the United Nations system and of relevant regional organizations to coordinate the implementation of the Programme of Action and to assist in matching needs and resources;

(c) To encourage assistance to States in building capacity to identify, prioritize and communicate their assistance needs;

(d) To make full use of national reports as a tool for communicating assistance needs and information on the resources and mechanisms available to address such needs;

(e) To encourage the development of tools and mechanisms to increase the effectiveness of international cooperation and assistance, including for mechanisms to identify assistance needs and with respect to indicators for assessing the adequacy and effectiveness of assistance.

7. Member States that are in a position to do so undertake:

(a) To place priority on responding to assistance requests to enhance the capacity of States to effectively implement the Programme of Action;

(b) To strengthen capacity-building, the provision of technical expertise and the transfer of relevant technology, equipment and requisite training to States in areas related to small arms;

(c) To explore means of ensuring the sustainability of assistance, including improving trust fund arrangements, in cooperation with relevant international and regional organizations, including the United Nations regional centres for peace and disarmament;

(d) To provide financial assistance, where appropriate, through a voluntary sponsorship fund, to enable States that would otherwise be unable to do so to participate in meetings on the Programme of Action.

Annex III

International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons: implementation plan, 2012-2018

1. At the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, convened at United Nations Headquarters in New York from 27 August to 7 September 2012, Member States resolved to redouble their efforts to achieve the full and effective implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons during the period from 2012 to 2018, in particular through the following actions.

A. Marking, record-keeping and cooperation in tracing

2. Taking into account the interlinked and mutually reinforcing nature of marking, record-keeping and tracing, Member States undertake:

(a) To strengthen national measures concerning weapons marking, including marking upon import, and, where possible, measures to recover erased or altered markings;

(b) To enhance procedures for the accurate identification of firearms and the establishment of accurate and comprehensive records, including the continuous and sustainable training of law enforcement officials;

(c) To strengthen, as necessary, inter-agency coordination at the national level in order to ensure timely responses to tracing requests, by, inter alia, designating one or more national points of contact and clarifying their roles, enhancing access to information by the points of contact, and establishing or strengthening national coordination bodies and national action plans;

(d) To enhance measures for the prevention of weapons diversion, including the increased exchange of tracing results with the appropriate authorities, as well as the harmonization of relevant tools and practices, at the national, regional and global levels;

(e) To cooperate with the United Nations in strengthening the tracing of illicit small arms and light weapons by peace operations and sanctions monitoring groups, including by utilizing the United Nations pool of civilian and military experts and training resources.

B. Implementation

3. Taking into account the importance of national measures and international cooperation and assistance for the full and effective implementation of the International Tracing Instrument, Member States undertake:

(a) If they have not already done so, to put in place or strengthen the laws, regulations and administrative procedures needed to comply with the requirements related to marking, record-keeping and cooperation in tracing set out in the International Tracing Instrument;

(b) To seriously consider, where in a position to do so, rendering technical and financial assistance, such as the provision of necessary technology, equipment and training, to improve national marking, record-keeping and tracing capacities, where requested;

(c) To consistently include in their weapons tracing procedures the use of tracing and firearm identification tools of the International Criminal Police Organization (INTERPOL), such as the INTERPOL Illicit Arms Records and Tracing Management System (iARMS), and to enhance cooperation with INTERPOL and the World Customs Organization in building capacity for marking, record-keeping and tracing at the national, regional and global levels;

(d) To enhance the sharing of information on national marking practices and of relevant technical research, including through the enhanced utilization of the Programme of Action Implementation Support System;

(e) To enhance linkages with the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, and other relevant processes, in particular by streamlining implementation efforts at the national, regional and global levels;

(f) To establish a technical committee, which may draw upon expertise available from industry, that would seek to strengthen the implementation of the International Tracing Instrument by considering, inter alia:

(i) The implications of recent developments in small arms and light weapons technology and design for effective marking, record-keeping and tracing;

(ii) Ways to support the uptake and effective utilization of available tools and technologies for marking, record-keeping and tracing;

(iii) Best practices in the areas of international assistance and capacity-building, including the transfer of technology;

(iv) Areas of focus for future meetings of the International Tracing Instrument;

(g) As part of their biennial national reports on the Programme of Action, to continue to submit information on their implementation of the International Tracing Instrument, and to utilize these national reports, together with the Programme of Action Implementation Support System clearing-house mechanism aimed at matching needs with resources, to submit assistance requests;

(h) To also utilize national reports to provide information on technical, financial and other assistance, including the provision of relevant equipment and international cooperation in the area of technology development, where appropriate.

Annex IV

Schedule of meetings, 2012-2018: draft resolution

Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

Member States, having gathered at the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 27 August to 7 September 2012,

Reaffirming the importance of enhancing the coherence and continuity of the Programme of Action implementation process,

Reaffirming also, in this regard, the utility of standardizing the schedule of meetings to the fullest extent possible,

Recalling the recommendation to clearly define and distinguish the mandates of Programme of Action meetings, as well as to link and ensure the complementarity of meeting mandates and outcomes, such as those of the Review Conferences, the Biennial Meetings of States and the Open-ended Meeting of Governmental Experts,

Recalling also that the Second Review Conference is expected to consider the possibility of convening a further open-ended meeting of governmental experts,

Reiterating that States have agreed to review the implementation and future development of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons within the framework of conferences that review the implementation of the Programme of Action,

Schedule of meetings

1. *Decide* to hold, in accordance with the relevant provision of the Programme of Action, one-week biennial meetings of States in 2014 and 2016;

[2. Placeholder on:

- Possible scheduling of a one-week open-ended meeting of governmental experts, between biennial meetings of States;
- Possible modification of biennial meeting(s) of States into biennial meeting(s) of States for governmental experts;
- Possible scheduling of a technical committee meeting, as suggested by some States;
- Possible scheduling of a two-week review conference in 2018, preceded by a one-week preparatory committee meeting]

3. *Stress* that international cooperation and assistance, including capacity-building and the transfer of technology, are of critical importance in furthering the implementation of the Programme of Action, and therefore decide that this topic should be an integral element of all meetings on the Programme of Action and the International Tracing Instrument;

[4. Placeholder on:

– which topics are to be addressed at which meetings]

Regional meetings

5. *Emphasize* the importance of regional approaches to the implementation of the Programme of Action, and in this regard further encourage interested States and international and regional organizations to convene regional meetings in preparation for, and/or to follow up on, the meetings on the Programme of Action;

6. *Consider* at the regional level the alignment, where relevant, of regional agendas regarding small arms and light weapons with the global cycle of meetings so as to ensure a maximum of synergies among actions taken at the national, regional and global levels;

National reporting

7. *Reaffirm* the utility of synchronizing national reporting with biennial meetings of States and review conferences, as means to increase the number and quality of reports, as well as to contribute substantively to the discussions held at the meetings;

Support for meeting participation

8. *Encourage* States in a position to do so, with a view to promoting wider and more equitable participation by States in the meetings on the Programme of Action, to provide financial assistance, through a voluntary sponsorship fund, where appropriate, to enable States that would otherwise be unable to do so to participate in meetings on the Programme of Action.